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PROGRAM GUIDELINES

1. PURPOSE

The City of Greenville continually strives to serve its citizens and provide programs that will increase the quality of life and livability of our community. Erosion along stream banks can significantly affect water quality, property values and the safety of our citizens. In an effort to address these concerns, the City has developed the Stream Enhancement Program.

This program will provide an avenue for property owners to apply for funding from the City for eroded stream banks located on private property. The program can provide up to 100% funding on projects identified as bank stabilization projects. It also provides a tool to evaluate and rank projects identified as stream restoration projects.

The intent of this program is not to transfer responsibility or liability to the City for drainage system components on property not owned by the City that carry public stormwater. Rather, it is to establish criteria and priorities to be used when making available funds for work on drainage system components located outside of City-owned rights-of-way. City participation in work on drainage system components outside of the right-of-way is limited to the extent to which funds are available for such purpose and no entitlement to receive funds for such work arises from this program.

2. APPLICABILITY

This program applies to the following situations:

- a. Potential project location must be within the City Limit. Locations in the Extra-territorial Jurisdiction (ETJ) do not qualify under this program.
- b. Potential project must be located on a jurisdictional stream which is a stream that has been determined to be either permanent or intermittent by NC Division of Environment and Natural Resources. These features have flora and fauna that are characteristic of streams in undeveloped areas.
- c. The jurisdictional stream must carry stormwater discharged from an existing City or State street or streets dedicated for public street purposes, including alleys, and accepted for maintenance by the City or State. Storm drainage systems not meeting this requirement are the responsibility of the property owner(s) and the City will not participate in such drainage projects.

- d. Erosion must be caused by stream flow as opposed to overland flow or runoff directly from the property.
- e. Both commercial and residential properties.

This program does not apply in the following situations:

- a. Jurisdictional streams maintained by other agencies or entities such as Pitt County Drainage District.
- b. Structures located in the floodway would not qualify for protection. This will not disqualify a potential project from being considered. However, it will impact how the project is prioritized.
- c. Property improvements causing or exacerbating erosion. These would include, but is not limited to, culverts or retaining walls placed by the property owner that are failing or roof leaders causing erosion.
- d. Riparian buffer (fifty feet along each side of the stream) violations. The Riparian Buffer Rule went into effect in 2000. If the property owner was maintaining the property (i.e. mowing the lawn, removing underbrush, etc.) up to the stream bank or had placed impervious cover within this area, the property is grandfathered in and this rule does not apply. However, if the property is allowed to revert back to its natural state (i.e. by virtue of a bank stabilization project) or always existed in its natural state, the grandfather rule does apply. These violations impact erosion and water quality. They are enforced by the North Carolina Department of Environmental and Natural Resources.
- e. Erosion caused by private property improvements on one property that caused erosion on a second property. This would be a civil case handled between the property owners. Some examples may be a yard inlet that was installed by the property owner to drain a portion of their yard and the outlet of this pipe caused erosion on the opposite side of the stream.
- f. The drainage system cannot be located on property which is undergoing development or redevelopment unless the development/redevelopment project is funded in part by other City funds.
- g. City Infrastructure such as culverts, headwalls or flared end sections that have caused erosion shall be covered under normal maintenance procedures and will not be covered under this program.
- h. The drainage system cannot be part of a water quality treatment facility or water quantity control device that was required to be constructed and maintained as part of an approved development.
- i. Erosion caused by Illicit Discharges or Connections. This would include illegal dumping or improper placement of yard debris.

3. TIMELINE

There are two (2) cycles for the Stream Enhancement Program. They are as follows:

	CYCLE 1	CYCLE 2
Apply by:	July 1	January 1
Site inspection:	Weeks 1 & 2 July	Weeks 1 & 2 January
Confirm citizen participation:	Week 3 July	Week 3 January
Survey:	Week 4 July	Week 4 January
Design:	Weeks 1 & 2 August	Weeks 1 & 2 February
Stream call, permitting and easement dedication:	Weeks 3 & 4 August Weeks 1-4 September	Weeks 3 & 4 February Weeks 1-4 March
Construction:	Week 1-4 October Weeks 1-4 November	Week 1-4 April Weeks 1-4 May

4. PROCESS

Application – In order to consider a site for the Stream Enhancement Program an application (see Appendix A) must be submitted prior to the beginning of a cycle (July 1 or January 1). The application must include the name and contact information of the property owner, location of the potential projects, description of the problem, photos (if available) and location map or sketch of the property.

Site Inspection – After a complete application is received, City Staff will schedule a site visit. During the site inspection, staff will perform four (4) tasks:

- a. Verify eligibility.
 - i. The conveyance must carry stormwater discharged from an existing City or State Street or streets dedicated for public street purposes, including alleys,

and accepted for maintenance by the City or State. Storm drainage systems not meeting this requirement are the responsibility of the property owner(s) and the City will not participate in such drainage projects.

- ii. The stream flow is causing erosion without influence of private property improvements made by the property owner.
 - iii. Erosion is not caused by herbicide kill, roof drains or yard drainage outlets or any impervious cover (i.e. buildings, sidewalks, parking areas, etc.) placed at the top of the stream bank.
- b. Make a preliminary stream call. This will determine whether a stream is jurisdictional (ephemeral, intermittent, and perennial) or non-jurisdictional (ditch).
- i. Ephemeral stream means a feature that carries only stormwater in direct response to precipitation with water flowing only during and shortly after large rain storms.
 - ii. Intermittent stream means a well-defined channel that contains water for only part of the year, typically winter and spring when the aquatic bed is below the water table.
 - iii. Perennial stream means a well-defined channel that contains water year round during a year of normal rainfall with the aquatic bed located below the water table for most of the year.
 - iv. A ditch means a man-made channel other than a modified natural stream constructed for drainage purposes.
- c. Categorize project as either bank stabilization or stream restoration.
- i. Staff will inspect 200 feet upstream and downstream.
 - a. If there is erosion on five or more properties within the 400 feet inspected, the project will be stream restoration.
 - b. If there is erosion on more than 200 feet of stream, the project will be stream restoration.
- NOTE: If the project is determined to be stream restoration, it will not be funded entirely under this program and as such will not be subject to the timeline indicated in Section 3. Staff will identify the boundaries of project using aerial photography and place it on a list for consultants to review and identify possible grants as a funding source.
- d. Prioritize all bank stabilization projects

- i. Points are given based on: what type of structure (i.e. primary residence, out building, etc.) is involved and its proximity to the erosion, property access and loss of land.
- ii. Points are deducted based on: project access, permitting and mitigation.

After all bank stabilization projects have been prioritized, City Staff will conduct a second site inspection to develop a preliminary cost estimate for the projects that were ranked in the top 20%.

Notification – There are several types of notifications the property owner can receive based on the outcome of the site inspection and available funds. The following are some examples:

- a. Project is ineligible: In this case the applicant will be notified (in writing) of the reason why the project was considered ineligible and will be given the process for appeals.
- b. Project has been categorized as stream restoration: In this case the applicant will be notified (in writing) of the reason why project was considered stream restoration and will be given the process for that program area.
- c. Project has been categorized as bank stabilization and is being funded: In this case the applicant will be notified (in writing) of the category and priority. This letter will provide additional information on the City and property owners responsibilities. This will include, but it not limited to:
 - i. Concurrence of property owners (petition)
 - ii. Easement dedication information
 - iii. Information about official stream call
 - iv. Preliminary Scope of Work
- d. Project has been categorized as bank stabilization and is unfunded:
 - i. Top 20% in prioritization
 - 1. In this case the applicant will be notified (in writing) of the category and priority. This will also include notification that the project will automatically be considered for the next cycle. No re-application is necessary.
 - ii. Not in top 20% in prioritization
 - 1. In this case the applicant will be notified (in writing) of the category and priority. This letter will provide additional information on the re-application process and include an application form.

Survey and Design - The project shall be the most cost effective, reasonable and practical alternative to correct the existing problem, as determined by the Director of Public Works. Any costs above the determined most cost effective, reasonable and practical alternative shall be borne entirely by the property owner.

Construction – After the design has been finalized and all applicable permits and easement dedications have been received, the City will issue the task order for construction. The project will be scheduled for work within the two month timeline noted in Section 3.

5. CITY RESPONSIBILITIES

The City of Greenville Stream Enhancement Program identifies certain responsibilities for the City. Initially, the City will assess all projects for eligibility; complete a preliminary stream call; categorize projects as either bank stabilization or stream restoration and prioritize those that are bank stabilization. Additionally City Staff will develop preliminary cost estimates for bank stabilization ranked in the top 20%.

After the City has received a commitment from the property owner on their participation, City Staff will oversee the survey, design and permitting of the bank stabilization project. Materials and construction methods shall be as determined necessary by the City Engineering Division. All authorized work shall be performed by the City, its agents and/or contractors. The project shall be the most cost effective, reasonable and practical alternative to correct the existing problem, as determined by the Director of Public Works. Design criteria shall meet current City stormwater design standards and riparian buffers shall be protected to the maximum extent practical.

Specifically the City will be responsible for the following during the survey, design and permitting stage of the bank stabilization project:

- a. Complete survey.
- b. Acquire necessary permits.
- c. Survey and record drainage easements.
- d. Provide oversight and funding.

Once the survey, design and permitting have been completed, the City will manage the construction contracts. In addition, the City will maintain the project area for the life of the project. This includes but is not limited to; periodic inspections and repairs as needed. This does not include maintaining the project area for aesthetics such as

clearing underbrush, mowing grass or removing vegetation unless it is interfering with the functionality of the project.

6. PROPERTY OWNER RESPONSIBILITIES

If the project is categorized as bank stabilization and the property owner has been notified by the City that their project will be funded within the current cycle, the property owner must confirm their commitment to the project in writing. By committing to the project the property owner agrees to be responsible for the following:

- a. Acquiring concurrence of 100% of property owners being affected by the project. This will be demonstrated by signing a petition and providing it to the City prior to the City continuing with the survey.
- b. Donate easements - The property owners must dedicate a drainage easement of a width, length, and type as specified by the Director of Public Works. The dedication of such easement will be at no cost to the City.
- c. Remove any property improvements the owner would like to save and reinstall them after completion of the project. These improvements can only be reinstalled if they do not interfere with recorded easements and/or access.
- d. The project shall be the most cost effective, reasonable and practical alternative to correct the existing problem, as determined by the Director of Public Works. Any costs above the determined most cost effective, reasonable and practical alternative shall be borne entirely by the property owner.

APPENDIX A

STORMWATER MANAGEMENT
DRAINAGE ASSISTANCE
REQUEST FORM

Request for drainage assistance are accepted twice a year (January 1st and July 1st).
Please have your request in before those dates for your project to be considered.

Name: _____

Address: _____

Daytime Phone: _____

Email Address: _____

Please provide the location of the erosion and a brief description:

Community or Homeowners Association representative and telephone number, if available:

Attach: Any photos and a location map or sketch of the property marking the location of the erosion.